

Autumn 2022

# InBrief

The Magazine of Gullands Solicitors



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GULLANDS  
SOLICITORS

**HIGH STREET HEROES  
AWARDS 2022**



Rewarding the best customer  
service in Maidstone  
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# Welcome to InBrief

As we move into autumn our attention turns to events which are a staple in the rural calendar and the Weald of Kent Ploughing Match is one of the largest we will be attending.

As ever these events are a good opportunity to meet with farming clients and contacts in the rural community and to chat about the harvest just finished, and plans for future years. This year, the conversation may have more uncertainty about it given the global energy crisis and the spiralling inflation which is causing many difficulties for businesses and individuals.

It is therefore sensible as a business owner, whatever the sector or size, to think about a possible UK recession and ways to recession proof your business. We have put together a helpful guide on pages 10 & 11.

A number of initiatives have been taking place which we have supported, to encourage people back into the town centres where our offices are located and to help our high street retailers. In July we supported Maidstone's first Wine Weekend and we will shortly be supporting the Maidstone Scarecrow Festival and launching the Maidstone High Street Heroes Awards. The awards will recognise good old fashioned, face to face customer service and we want to hear from you about the small businesses that go above and beyond the call of duty to their customers. We also want to reward individual customer service and businesses can nominate members of their own staff for this award. The full details are on page 5 and winners will be announced at a networking event in November.

Tackling crime in our high streets is also front of mind this month when the Knife Angel visits Maidstone. Parents and guardians should be aware of how young people could be affected by it, and also the strict sentencing guidelines which are in place to help prevent it. I see first-hand in my criminal law work many young people who have become involved in situations that they shouldn't be in. It is therefore important we educate and talk to young people about the risks and the consequences knife crime could have with regards a criminal record for the rest of their lives.

Finally, whilst there is much to be gloomy about, sports of all sorts provide light relief for many of us and encouraging young people into sports is a great way to provide a focus and to encourage good habits including for long term health. We are sponsors of a number of clubs and sporting events and here on our doorstep, the Bearsted Cricket Club is doing excellent work to encourage young people into the games as well as supporting male and female teams. We visited them at their recent charity match to see our new branding in place.

As ever if there are any issues raised that you would like to discuss in more detail, please get in touch with our team today.



**John Roberts**  
Managing Partner

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# Bearsted Cricket Club



The two Captains Richard Filmer for Bearsted & Thurnham Club and Mark Sandhu Bearsted Cricket Club with partner Leroy Bradley.

**Bearsted Cricket Club has a long history dating back to the 1700's and we are delighted to have been supporting them for many years, especially as they continue encouraging junior and youth players and supporting their women's teams.**

This summer we have provided new boundary markers which will be used for games on the green and our new branding will be seen pitch side at Bearsted and Hollingbourne.

The new branded materials were on display for the first time at the annual August Bank Holiday match. The match sees Bearsted Cricket

Club taking on an invitational team representing Bearsted & Thurnham Club to play for the Mick Filmer Trophy. The match also raises funds for the Kent & Sussex Air Ambulance Trust and Heart of Kent Hospice.

Partner Leroy Bradley comments: "Congratulations to Bearsted Cricket Club for winning the annual charity match and to both teams for helping raise funds for two very deserving causes. Bearsted has some fantastic facilities and good support locally and they are working hard to encourage young people into the game as well as supporting their successful women's teams. The club has been at the heart of the local community for centuries and Sunday cricket on the green has been a feature of village life for decades. We are very pleased to support this tradition and wish the club continued success as the 2022 season draws to a close."





## Successful Wine Weekend showcases Kent's growing wine sector

Maidstone's first ever Wine Weekend was held on Saturday 16<sup>th</sup> July at Sessions House, County Hall. The event was a successful collaboration between town centre businesses, One Maidstone, Kent County Council, English wine producers and Gullands.

The event originated from an idea by Blair Gulland and Ulric Allsebrook of Frederic's Bistro, to showcase the county's wine and wine producers in the heart of the county town and to encourage people to visit Maidstone, helping town centre businesses.

Those attending the event were able to taste and buy wines and spirits from a number of local producers including Chapel Down,

Balfour Hush Heath Estate, Gusbourne, Biddenden Vineyards, Maidstone Distillery and many others.

John Roberts, Managing Partner at Gullands comments: "Our congratulations go to everyone involved who worked hard to make this event a huge success, helped of course by the beautiful summer weather. We are pleased to support initiatives like this which showcase the wines and spirits of local producers and encourage people into the town centre."

With over 50 wine growing sites across Kent and a number of new vineyard plantings the wine making sector is predicted to continue growing locally. We work with several vineyards in Kent and Sussex and will once again be exhibiting at the Vineyard & Winery Show at Detling on 23 November; so please do visit our stand to see how we can support your business.



## History Tour

The Gullands' Gravesend office hosted a walking history tour of the town for local business leaders on 28<sup>th</sup> June, led by local historian Christoph Bull.

Gravesend has a fascinating history which many people may miss if rushing about their daily lives, so taking to the town on foot when the crowds have gone allows you to appreciate the role it has played locally, nationally, and internationally throughout the centuries.

The tour began at Gullands' offices in Whitehall Place before going to Fort Gardens, Gordon Memorial Gardens, Royal Terrace Pier and the Town Pier, before returning to Whitehall Place.

Partner and head of the Gravesend office Julie Hobson comments: "Christoph has an amazing knowledge of the town and when you slow the pace down and walk through the history, you notice and learn many things that you have missed. I've lived in the town all my life and it was great to learn lots more about the town."

"We are keen to support local businesses in the town and it was great to provide a networking opportunity for them to meet, chat and appreciate the town we all call home."





# Gullands launches Maidstone High Street Heroes Awards 2022

It's been a tough couple of years for Maidstone's high street businesses and we want to recognise the role they play in our everyday lives and the face to face customer service they provide, which you just don't get from online only businesses. We want to say thank you to the businesses and their employees who go above and beyond with their customer service.

So, if you have benefited from fantastic customer service this year from a business based in Maidstone's town centre that you would like to say thank you to, then we would like to hear from you.

Also, are you a business owner or manager of a Maidstone town centre business who would like to nominate one of your employees for the excellent service they provide to your customers?

Help us to find and reward Maidstone's High Street Heroes 2022, whether retail, hospitality, or another type of business that you have been served by. We want to find and say thank you to the businesses and their employees in and around the town centre who have gone above and beyond their job to help you.

Go to [www.gullands.com](http://www.gullands.com) and simply fill out the form to nominate them and tell us a little more about what made your experience in Maidstone town centre so good, or what it is they do to help customers.

Entries open on 6 October 2022 and we will announce the winners at a special networking event for town centre businesses on 10<sup>th</sup> November at The Gallagher Stadium.

All businesses nominated will receive our special recognition branding to display to customers and the winners will be selected by a panel of judges. Winners will each receive a trophy and winning branding to display.

John Roberts, Managing Partner at Gullands comments: "We are delighted to launch the Maidstone High Street Heroes Awards for 2022, our way of saying thank you to the business owners and their staff who go above and beyond the call of duty. It is important that we protect our high streets and the face to face services they provide. Many have had a couple of difficult years due to the pandemic and many may also be concerned about rising inflation and costs. Let's do what we can and support them as much as possible and say thank you for being there to help and serve us."





# Farm Safety Reminder

The HSE's business plan for 2022-23 provides for 660 proactive inspections across agriculture, livestock, forestry, and anaerobic digestion. It is worth considering how your business would perform on such an inspection, bearing in mind the HSE can charge for their time if they identify a "material breach" of H&S law, or impose a formal Improvement or Prohibition Notice even where there hasn't been an accident. However, the real incentive for a serious look at H&S is to avoid death and injury in the workplace, especially in farming which produces 18% of all workplace deaths, despite accounting for only 1% of the workforce (HSE 2021-2022).

The Farm Safety Foundation website records life changing and fatal injuries arising from everyday activities like stacking bales or tending to a calving heifer. No one wants their family, workers, contractors, or visitors to be hurt or killed. No business would wish to go through the process of investigation and prosecution by the HSE, particularly bearing in mind more rigorous H&S sentencing in recent years.

Here are some example fines against businesses with "micro" turnovers (under £2 million)

- Maurice Mason - £50,000 plus £22,000 costs - death in silo during cleaning.
- Toft Partnership - £60,000 plus £29,417 costs - fatal roof fall. The farm manager involved was responsible for health & safety, but his employer should have done

more to raise awareness of safe working practices.

- Lincoln Proteins - £66,000 plus £25,286 costs - fatal entrapment between vehicles (£8m turnover).

In medium turnover businesses (£10-£50 million) the fines go up:

- WL Duffield - £50,000 plus costs after worker lost finger in valve with missing cover (£40m turnover).

Courts look at the level of culpability i.e., the level of fault and apply that to tables based on turnover. There is a huge difference in fine depending on whether a defendant is "low" or "high" culpability, especially when you get to medium turnover where the starting point fine is £130,000 for "low" and jumps to £950,000 for "high". Businesses must therefore eliminate "medium" and "high" culpability behaviours such as:

- Ignoring standards
- Breaches over a long period of time
- "Systemic" failings.

An accident might still happen, but culpability will be "low" where:

- H&S procedures exist and are followed
- Recommendations are implemented
- Near misses and breaches are picked up on and lessons learned.

It may seem daunting to keep on top of all H&S law, regulation, and guidance. However, a good start is to refresh the H&S Policy, which you are required to have by law. Check it is fit for purpose. Does it set out H&S responsibilities and how and by whom it will be implemented? Does it promise regular

reviews? The HSE will be unimpressed if these are not done. It is essential the words in your Policy translate into living, practical systems for running health and safety in your business. Understanding how H&S needs to be managed like any other aspect of the business is key. See Managing for Health and Safety (HSG65) and Leading Health and Safety at work (INDG417) (rev 1). There are other tools on the Farm Safety Foundation website like a template Farm Emergency Plan. A look at these resources could help you:

- Identify and address risks
- Address training needs
- Ensure important requirements such as first aid training or reporting of injuries under RIDDOR 2013 are not overlooked.
- Plan what you and your team would do in the event of an incident thus seriously reducing your exposure to the demoralising, costly, time consuming and potentially tragic consequences of an accident at work.

Consider too that good H&S management makes for a more profitable business (Business benefits of good H&S –Britsafe) and a more productive one too. In the Aviva 5<sup>th</sup> Health of the Workplace Report two thirds of workers said they would work harder for an employer that invested in their health.

If you have H&S concerns, help is at hand from independent H&S consultants, online resources and organisations like the NFU. If you face possible enforcement/investigation early legal advice is important and we can assist.

Andrew Clarke can be contacted at [a.clarke@gullands.com](mailto:a.clarke@gullands.com)

## Charity Legacies Changes

The Charities Act 2022 will bring several changes this year and next year which aim to reduce 'unnecessary bureaucracy in current processes' and make it easier for charities and their trustees. This includes their discretion over the offering of financial settlements in legacy disputes.

Currently charity trustees must act in the best interests of the charity which generally prevents them from reaching financial settlements with third parties who are disputing a legacy which has been left to the charity.

Over the years there have been a number of lengthy and costly court battles between charities and the families or beneficiaries of Wills. In the future trustees of charities will no longer need the permission of the Charity Commission to make ex gratia payments in order to settle a disagreement. The maximum which can be offered will be dependent on the charity's annual turnover, for example a charity with an income of over £1m will be able to make payments of £10,000. The trustees will also be able to delegate this discretion to others within the charity.

The implementation of the Act is expected in three phases beginning this autumn and again in spring and autumn 2023.

To avoid any dispute over your estate it is important to make sure you have an up to date Will and to leave clear and specific instructions to your executors who will carry out your wishes after your death. If you are thinking of leaving a legacy to a charity, then it is sensible to also leave a letter of wishes which details your bequest, especially if it is a substantial gift.

If you would like advice about making a Will and leaving a legacy to a charity, get in touch with our team today.

Alex Astley can be contacted at [a.astley@gullands.com](mailto:a.astley@gullands.com)



## Time to update a homemade Will?

**During the pandemic it is reported by the Law Society that there was a 30% rise in the number of people writing their Will, but a number of these were 'DIY' Wills that they wrote themselves, which could result in problems at a later date.**

Research also shows there were around 10,000 challenges to the distribution of inherited estates in England and Wales in 2021, a rise of 37% since 2019.

Most people won't be familiar with the law or the terminology needed to write a Will and it is therefore easy to produce a document which is invalid or which could be open to legal challenge.

Also, with families increasingly more blended, the needs of a number of parties may need to be considered.

It is also estimated around half of adults don't have an up to date Will and if you die without a valid Will, your estate will be distributed according to the laws of intestacy which may be against your wishes.

Don't put off making a Will and make sure if you have one, you review it when you go through significant life changes, such as having children or grandchildren, marriage, divorce, house sale or purchase, or receiving a windfall or inheritance.

Don't forget that unmarried partners with whom you cohabit have no automatic right to inheritance, even if you own a home and have lived together for a number of years. Make sure your pension is also included and you will need to complete a nomination of beneficiary form, so that the pension provider knows who would receive the pension on the event of your death. Again, make sure this is up to date especially if you have separated or divorced.

Finally, don't forget to tell people where your Will is, who you have chosen to be your executors and if you have specific wishes for arrangements for a funeral, burial, or cremation.

Being open about your final wishes is important as it means they are less likely to be challenged and more likely to be carried out as you intended.

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# No fault divorce – is it working?

In the weeks following the introduction of no fault divorce here in England and with the first divorces due to be finalised shortly, how is the system working?

Despite there being a few initial technical glitches with the online portal for some users, which to be fair is expected with the roll out of any major new system, it is working well, easy to use and user friendly. The overall process is largely giving our clients more opportunity and greater flexibility, which will be a great relief at a difficult time in their lives.

Most of the couples who we are currently working with are applying for the divorce jointly and sharing the fees, but in more acrimonious situations, there are some who prefer to be Respondents with their spouse initiating the divorce as a Sole Applicant. You can apply individually and the lack of cooperation from your former spouse is no longer a barrier to the divorce progressing quickly within the six month time frame.

The 20 week cooling off period is a useful time to use to negotiate and finalise financial arrangements prior to the consent order being submitted. For those who have already reached a financial agreement however, the 20 weeks may seem like an unnecessary wait. It is a good time however to raise any further questions about anything you are not sure about.

A word of caution for those who do not use a solicitor, they may not fully understand the longer term implications of divorcing without understanding all their financial rights, particularly in relation to pension sharing which is often overlooked. It is therefore important to jointly resolve all financial issues within the timeframe or seek advice if you do not understand what you are being asked to agree to.

We are still getting enquiries from some clients who would like specific grounds to be listed for the divorce, typically where one party feels they have been particularly wronged, but there really is no reason now to try and delay the process and cause additional expense, as the other party could just go ahead and file an individual claim under the new process.

Mediation is still mandatory prior to applying to the court if the couple cannot reach agreement about finances or children, (unless there has been domestic violence in the marriage) but most people want to avoid this route and will try to reach an agreement with the help of their solicitor.

The collaborative law approach that we also offer here at Gullands, where all parties with their solicitor can negotiate and reach an agreement in an amicable way still has a place. This can also help with maintaining a more amicable and longer-term relationship with your former spouse which can be useful where you have children together.

We are happy to chat through your questions about no fault divorce and offer an initial fixed fee consultation service, so get in touch to book one today.

Sunita Chauhan can be contacted at [s.chauhan@gullands.com](mailto:s.chauhan@gullands.com)  
Julie Hobson can be contacted on [j.hobson@gullands.com](mailto:j.hobson@gullands.com) if you wish to discuss the Collaborative route.





# Don't let your house move become a house of horrors...

**In an ideal world when you buy a home, you expect to be able to move straight into a clean and empty property with everything as you hoped it would be, but what happens if this isn't the case?**

Here is our guide to avoiding some of the issues which can turn a house move into a house of horrors.

## **The house still has furniture, belongings and rubbish left in it, what should I do?**

During the conveyancing process the seller will have provided a fittings and contents form which details what is included in the sale and if anything else has been agreed as part of the sale and will be left behind. This forms part of the contract and if items have been left that were not listed, then you should inform your solicitor and they will ask the seller to remove them at their own cost.

Sometimes people genuinely forget items stored in lofts, garages, and outbuildings, but other times it is intentional. Legally, any items left by the seller still belong to them. Confirm to them in writing what has been left, where the items will be stored safely for a period of time and if they are not removed what will happen to them.

You may be able to claim for the cost of disposing of their property if they don't collect it. This could include hotel costs if the property was uninhabitable when you arrived, to travel costs to dispose of items, storage or skip hire costs. A specialist litigation solicitor can advise you on this, but it is important to document it and keep as much evidence as possible both of the property state, possessions, and receipts for any expenditure.

If you are concerned that the seller will leave items behind or leave it in a dirty condition then ask your conveyancing solicitor to organise a final inspection of the property for you before completion. If the property isn't clean or empty then completion will be delayed until items are

removed. If the seller doesn't comply with this then they will face the costs of failing to complete.

You can ask your conveyancing solicitor to specify in the contract that the property should be cleaned to a specific standard. It might be better however for you to arrange for a professional cleaner to clean the property before you move in to ensure your expectations are met.

## **The seller information wasn't correct, what should I do?**

Sometimes a seller will unintentionally or deliberately mislead a buyer with the answers they have provided on a seller's property information form or during discussions about the property. This could include disputes with neighbours, issues around flooding, boundaries in the wrong position or planning applications nearby which could affect the property.

If you have specific concerns about any of these issues then you could ask your conveyancing solicitor to ask for more details, to check the boundaries with the land registry or you could arrange a full building survey to check on the specific condition of the property. Ask your solicitor to ensure the seller provides information which is accurate up to the date of the exchange of contracts. In this way, if anything were to change, the seller would be obliged to update you.

Remember the basic position is caveat emptor or buyer beware, so ask as many questions as you can think of as the seller is obliged to answer them or explain why they will not.

In some cases, the buyer could have a claim for misrepresentation if despite all of these investigations the seller still deliberately misled them.

Remember most house moves do go well and using an experienced conveyancing solicitor will help to guide you through the process to ensure a happy outcome.

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# Recession ahead? - Prepare your business

**There is ongoing economic uncertainty and the possibility of the UK entering a period of significant downturn or recession, which means businesses and the public will spend less money.**

It is therefore important to plan if you haven't already and get your business into the best position to weather what comes. Wisdom shows that in a recession, businesses should look to 'trim fat' so that they leave themselves in a good position to grasp opportunities and recover quickly and profitably. Here are some practical steps you can take now to prepare.

## **Business planning**

Have a plan. It's likely you have a business plan but how often do you refer to it and is it still relevant and up to date? Sitting down with your whole senior management team is important to discuss and agree where you want the business to be in the next 12 months, three years, five years etc and if you have the right people to take it on that journey.

You might want to consider other options such as bringing in someone with more senior management or financial experience to take over the day to day running of the business, stepping aside for the next generation to take over, or consider merging or selling your business.

Whichever route you choose, there will be a number of consequences and talking through them, mapping out the different decisions and outcomes and speaking to experts can help you to make the most informed decisions.

## **Employment**

Review your employees – from recent new starters to those who have been with you for years. Decide who is the best placed with the right skills, knowledge, and experience to help your business meet its longer term objectives.

Which leads to:

Review redundancy policies and procedures in case there is a significant downturn in demand for your products or services and update if necessary. You might also want to consider other alternatives before making any redundancies, for example there might be employees who want to retire early or those who want to work more flexible hours, perhaps part time hours with the view to this being reviewed again later when business picks up again.

Try to prioritise and maintain employee training and development budgets as you will need your team to be equipped with the right skills once any downturn ends. If you do decide to terminate any ongoing contracts early such as training contracts, make sure you understand if there are any financial penalties involved or if it can be deferred to a later date.

Think about areas of the business which might be outsourced such as your admin support, payroll, HR, IT support, marketing or PR and review the level of service and costs savings which could be achieved by doing this.

## **Cashflow**

Cash is king and maintaining your cashflow is essential for long-term business success. It is also the responsibility of the directors of the business to follow their directors' duties which are set out in The Companies Act 2006. With inflation at 9.4% the highest level for 40 years and interest rates slowly rising, your own costs will have risen and keep rising.

Think about your own pricing for any quotes or tenders and any existing contracts in place. You need to ask yourself if it is cost effective for you to meet these obligations or how to word agreements which will allow you to factor in additional price rises. Review and update your terms and conditions of business to allow you to be more agile in response to price changes if needed.

If the UK enters a recession and your business has debts and significant overheads you need to act quickly. Is there the opportunity to restructure or renegotiate any debt? Review the terms of any lending agreements to see if more favourable terms can be agreed.

Improve your own credit control and chase debtors more effectively. Ensure that you have a proactive debt recovery policy in place to chase for payment within the agreed terms or ask for payments up front from clients and customers who persistently pay late or less than the agreed amount.

Familiarise yourself with the procedures which need to take place to enable you to use the courts to help you recover a debt, which will have associated costs, procedures, and a timeframe to follow.

Consider if it is possible to find new suppliers to help you maintain or improve profit margins. When working with any new supplier make sure you have a robust contract in place and don't skip on the due diligence process.

Be wary about reducing spend too much, too quickly in key areas. For example, during a recession, it is important to look after your loyal customers therefore many businesses focus budgets on marketing spend to maintain and build these relationships and maintain brand awareness. This can help them to achieve organic growth and to be in a position to realise higher growth once the economy begins to recover.

## **Diversification**

Are you able to diversify any part of your business offering and if you can, think about the legal implications for doing this, such as ensuring you have relevant insurance and up to date terms and conditions in place. Remember how quickly many businesses managed to pivot at the start of the pandemic in March 2020 and ask are there any lessons that can be learned or trends you can act on now. And it is





worth noting that many of the world's largest and most successful businesses have been set up during times of recession to capitalise on changing consumer needs and requirements.

If you rent a commercial property you will need to check the terms of your lease to ensure that you can diversify your business operations and if in doubt seek the written permission of your landlord.

#### **Review your lease obligations**

If your business leases any equipment, vehicles, or property these obligations continue even if the business fails, unless you have negotiated a termination clause. If you are considering ending a lease for vehicles or equipment early there may be clauses which oblige you to pay an early termination fee or penalty and you might be held personally liable if you have provided a director's guarantee. These

can add up to a sizeable amount so it is important to understand all your obligations and the duration they last and factor them into business planning.

With a commercial property lease check the type of lease you have and if there is a break clause in your lease which allows either the landlord or the tenant to break the lease without any consequences. It is typical there would still be a notice period as there is when your lease comes to an end.

There are other ways to end your lease early if:

- The landlord agrees.
- The lease is assigned to someone else (although you may still need to provide a guarantee).
- You are allowed to sublet (but you would still be responsible for the payment of the rent).

There could be other alternatives to ending your lease. Your landlord might be willing to negotiate a rent free period, reduce rent or even consider changing to a profit based rent agreement. Whatever you decide to do there are considerable consequences so it is important to get legal advice.

The journey of running a business is rarely smooth and having the right team behind you is essential to help you to reach your longer term goals and objectives. If you would like to discuss any aspect of owning and running a business, get in touch with our Business Hub team today.

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# Knife Angel comes to Maidstone

From 6<sup>th</sup> September an 8.5m tall sculpture made from 100,000 knives, weapons and blades which have been handed in during knife amnesties in the UK will be on display at Lighthouse Church, Station Road, Maidstone. The Knife Angel is an awareness campaign which will run in Maidstone for four weeks (until 3<sup>rd</sup> October) and it is supported by OneMaidstone BID and other agencies in the town including Gullands.

According to the latest figures from the Office for National Statistics, knife crime rose by 10% to 49,027 offences in England and Wales in the year to March 2022.

A recent report by HM Inspectorate of Probation also says, 'Current evidence suggests knife crime is driven by a combination of poverty, marginalisation, adverse childhood experiences, trauma, fear and victimisation including exploitation.' It goes on to say, 'Knife crime is changing, suggesting it is more prevalent and more serious than in previous years. This change has in part been driven by austerity and cuts to preventative services.'

A range of measures is needed to tackle this crime and its prevalence amongst young people. The report goes on to say: 'The key to addressing knife crime is early intervention and prevention. Once a child becomes involved with the criminal justice system it can become more difficult to support them towards pro-social life choices.'

John Roberts, head of the criminal law team here at Gullands comments: "Knife crime is a serious issue nationally and here in Kent and one which disproportionately affects younger people. Here at Gullands, we are keen to support initiatives which stop people from becoming involved with the criminal justice system. The Knife Angel is a great way to make young people aware of and talk about the issue of knife crime and the devastating effect this can have on young lives."

Parents and guardians should be aware that the rules and sentencing guidelines changed around knife crime to try and deal with the issue. Full details are available from the Crown Prosecution Service but in summary since 1 June 2018, the guidelines applies to offences of:



- Possession of an offensive weapon in a public place
- Possession of an article with a blade/ point in a public place
- Possession of an offensive weapon on school premises
- Possession of an article with a blade/ point on school premises
- Unauthorised possession in prison of a knife or offensive weapon
- Threatening with an offensive weapon in a public place
- Threatening with an article with a blade/ point in a public place
- Threatening with an article with a blade/ point on school premises
- Threatening with an offensive weapon on school premises

Changes to sentencing means where an offender is convicted of a second (or further) bladed article/ offensive weapon offence the court must impose a mandatory minimum sentence of 6 months' imprisonment for an adult or 4 months' Detention and Training Order for a youth (under 18), unless it is satisfied that there are circumstances relating to the offence or the offender that make it unjust to do so in all of the circumstances.

Where an offender is convicted of threatening with a bladed article/ offensive weapon the court must impose a mandatory minimum sentence of six months' imprisonment for an adult or four months' Detention and Training Order for a youth (under 18), unless satisfied that there are circumstances relating to the offence or the offender that make it unjust to do so in all of the circumstances.

The guidelines do not cover where a knife or other weapon is used and causes harm which would come under other more serious offences such as those relating to wounding, wounding with intent, manslaughter, or murder.

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## Scarecrow Festival

Maidstone Borough Council is organising a Scarecrow Festival for the autumn half term, from 24 – 29 October 2022 and we are delighted to be taking part.

The competition is open to local schools and community groups to enter a scarecrow, which can be either 2D or 3D, into the festival and there will be prizes for the best in each category.

Shops and businesses across the town centre

will provide host locations for the scarecrows, as well as the shopping centres and the Lockmeadow Entertainment Complex.

It will be down to the individual groups to organise materials to make their scarecrow, and it will need to be self-supporting (either a frame or chair/prop to hold it up). Winners will be decided by public vote; each scarecrow will be displayed with a label identifying who made it and a QR code to link to a webpage to vote. Winners will be announced the week after (31<sup>st</sup> October).